

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

24-17875 BKOBJ01  
BROCK & SCOTT, PLLC  
302 Fellowship Rd, Suite 130  
Mount Laurel, NJ 08054  
(844) 856-6646  
Attorneys for PNC Bank, National Association

In Re:

Nuzhet Khan

Case No: 24-13523-RG

Hearing Date: July 17, 2024

Judge: ROSEMARY  
GAMBARDELLA

Chapter: 13

**PNC BANK, NATIONAL ASSOCIATION'S AMENDED OBJECTION  
TO DEBTOR'S MOTION TO EXPUNGE PROOF OF CLAIM**

PNC Bank, National Association ("Creditor"), by and through its undersigned counsel, files this *Amended Objection to Debtor's Motion to Expunge Proof of Claim*, and in support thereof states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on April 4, 2024.
2. The Debtor has a line of credit with the Creditor pursuant to the Proof of Claim and attachments filed by the Creditor on May 30, 2024.
3. The Debtor does not dispute the fact that the Proof of Claim is timely filed.
4. As such, Creditor submits the filing of said claim "shall constitute prima facie evidence of the validity and amount of the claim." Fed. R. Bankr. P. 3001(f).
5. The Debtor fails to make any cognizable argument as to why the Creditor's claim

should be expunged, and simply states: “I am absolutely positive that I am not personally responsible for the debt indicated in the attached proof of claim and that I do not owe any money in regards to the attached claim.”

6. Creditor is reviewing its records with regard to the Debtor’s account and confirms that thirty eight (38) payments were received from the Debtor between 2019 and 2021. A payment history for Debtor’s account is attached hereto as **Exhibit A**.

7. Creditor reserves the right to supplement this response at or prior to the hearing.

WHEREFORE, Creditor respectfully requests that this Honorable Court enter an Order denying the Debtor’s Motion to Expunge Proof of Claim and for any other relief the Court deems just and necessary.

/s/Matthew Fissel

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Andrew Spivack, NJ Bar No. 018141999  
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**CERTIFICATION OF SERVICE**

1. I, Elizabeth Oliver:

☐ represent \_\_\_\_\_ in this matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents PNC Bank, National Association in this matter.

☐ am the \_\_\_\_\_ in this case and am representing myself.

2. On the undersigned date, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

AMENDED OBJECTION TO DEBTOR'S MOTION TO EXPUNGE  
PROOF OF CLAIM

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: July 11, 2024

/s/ Elizabeth Oliver  
Elizabeth Oliver

| Name and Address of Party Served  | Relationship of Party to the Case | Mode of Service   |
|---|-----------------------------------|---|
| Nuzhet Khan<br>591 Summit Avenue, Suite 605B<br>Jersey City, NJ 07306             | Debtor                            | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *)            |
| NICHOLAS FITZGERALD<br>649 NEWARK AVENUE<br>JERSEY CITY, NJ 07306                 | Debtor's Attorney                 | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |
| Marie-Ann Greenberg<br>30 Two Bridges Rd<br>Suite 330<br>Fairfield, NJ 07004-1550 | Chapter 13 Trustee                | <input type="checkbox"/> Hand-delivered<br><input type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)  |

|  |            |   |
|--|------------|---|
|  |            | <input type="checkbox"/><br>Other _____<br>(as authorized by the court *)   |
| Office of the US Trustee<br>One Newark Center Ste 2100<br>Newark, NJ 07102 | US Trustee | <input type="checkbox"/> Hand-delivered<br><br><input type="checkbox"/> Regular mail<br><br><input type="checkbox"/> Certified mail/RR<br><br><input type="checkbox"/> E-mail<br><br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><br><input type="checkbox"/><br>Other _____<br>(as authorized by the court *) |

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.

## POC 410 Attachment

For MSP Accounts (Post LT Transactions and Summary) Please use Tableau

[MSP POC 410 Attachment Report](#)

## Summary

| Account Number | Location Code | Account Number Pre LT | Location Code Pre LT | Oldest Date | Source System | BKOFfile Date | Charge Off Date | Last Date Current | Last Transaction | Last Pa Da |
|----------------|---------------|-----------------------|----------------------|-------------|---------------|---------------|-----------------|-------------------|------------------|------------|
| 1907           | 071125        | 1907                  | 071125               | 01/17/2019  | ORW           | 04/04/2024    | 08/31/2022      | 02/10/2022        | 09/10/2022       | 11/25/2022 |

## Part 1: Mortgage and Case Information

## Part 2: Total Debt Calculation

| BKOCASE Number | Debtor One SSN | Debtor Two SSN | Last4Digits To Identify | Creditor       | Servicer       | Principal Balance | Deferred Principal | Interest Due | Fees Cost |
|----------------|----------------|----------------|-------------------------|----------------|----------------|-------------------|--------------------|--------------|-----------|
| 2413523        | 2086           |                | 1907                    | PNC BANK, N.A. | PNC BANK, N.A. | \$7,343.16        | \$0.00             | \$1,260.14   |           |

## Transactions

| Account Number | Location Code | Transaction Date | Transaction Amount | Transaction Description | Extract Date | Transaction System | Current Due Date | Payment Due Date |
|----------------|---------------|------------------|--------------------|-------------------------|--------------|--------------------|------------------|------------------|
| 1907           | 071125        | 11/24/2021       | 3199.01            | Payment                 | 11/25/2021   | FDR                | 12/10/2021       | 12/10/2021       |
| 1907           | 071125        | 11/10/2021       | 2193.26            | Payment                 | 11/11/2021   | FDR                | 11/10/2021       | 11/10/2021       |
| 1907           | 071125        | 11/08/2021       | 5274.25            | Payment                 | 11/09/2021   | FDR                | 11/10/2021       | 11/10/2021       |
| 1907           | 071125        | 11/05/2021       | 2501.01            | Payment                 | 11/05/2021   | FDR                | 11/10/2021       | 11/10/2021       |
| 1907           | 071125        | 09/23/2021       | 500                | Payment                 | 09/24/2021   | FDR                | 10/10/2021       | 10/10/2021       |
| 1907           | 071125        | 07/16/2021       | 2691.36            | Payment                 | 07/18/2021   | FDR                | 08/10/2021       | 08/10/2021       |
| 1907           | 071125        | 06/08/2021       | 1001.01            | Payment                 | 06/08/2021   | FDR                | 06/10/2021       | 06/10/2021       |
| 1907           | 071125        | 06/01/2021       | 2596.69            | Payment                 | 06/01/2021   | FDR                | 06/10/2021       | 06/10/2021       |
| 1907           | 071125        | 04/16/2021       | 3468.59            | Payment                 | 04/16/2021   | FDR                | 05/10/2021       | 05/10/2021       |
| 1907           | 071125        | 02/26/2021       | 1501.01            | Payment                 | 02/28/2021   | FDR                | 03/10/2021       | 03/10/2021       |
| 1907           | 071125        | 12/16/2020       | 4501               | Payment                 | 12/17/2020   | FDR                | 01/10/2021       | 01/10/2021       |
| 1907           | 071125        | 11/23/2020       | 78.32              | Payment                 | 11/24/2020   | FDR                | 12/10/2020       | 12/10/2020       |
| 1907           | 071125        | 10/26/2020       | 4100               | Payment                 | 10/27/2020   | FDR                | 11/10/2020       | 11/10/2020       |
| 1907           | 071125        | 10/24/2020       | 1001               | Payment                 | 10/27/2020   | FDR                | 11/10/2020       | 11/10/2020       |
| 1907           | 071125        | 09/30/2020       | 2765.37            | Payment                 | 10/01/2020   | FDR                | 10/10/2020       | 10/10/2020       |
| 1907           | 071125        | 09/02/2020       | 1905               | Payment                 | 09/03/2020   | FDR                | 09/10/2020       | 09/10/2020       |
| 1907           | 071125        | 08/18/2020       | 400                | Payment                 | 08/19/2020   | FDR                | 09/10/2020       | 09/10/2020       |
| 1907           | 071125        | 07/20/2020       | 201                | Payment                 | 07/21/2020   | FDR                | 08/10/2020       | 08/10/2020       |

POC 410 Attachment

|            |      |        |            |         |         |            |     |            |            |
|------------|------|--------|------------|---------|---------|------------|-----|------------|------------|
| ██████████ | 1907 | 071125 | 05/16/2020 | 3300    | Payment | 05/19/2020 | FDR | 06/10/2020 | 06/10/2020 |
| ██████████ | 1907 | 071125 | 04/19/2020 | 330.53  | Payment | 04/20/2020 | FDR | 05/10/2020 | 05/10/2020 |
| ██████████ | 1907 | 071125 | 04/12/2020 | 201     | Payment | 04/13/2020 | FDR | 04/10/2020 | 04/10/2020 |
| ██████████ | 1907 | 071125 | 03/09/2020 | 2500    | Payment | 03/10/2020 | FDR | 03/10/2020 | 03/10/2020 |
| ██████████ | 1907 | 071125 | 03/01/2020 | 289     | Payment | 03/02/2020 | FDR | 03/10/2020 | 03/10/2020 |
| ██████████ | 1907 | 071125 | 01/15/2020 | 1011.84 | Payment | 01/15/2020 | FDR | 02/10/2020 | 02/10/2020 |
| ██████████ | 1907 | 071125 | 12/11/2019 | 3900    | Payment | 12/12/2019 | FDR | 12/10/2019 | 12/10/2019 |
| ██████████ | 1907 | 071125 | 11/20/2019 | 301     | Payment | 11/20/2019 | FDR | 12/10/2019 | 12/10/2019 |
| ██████████ | 1907 | 071125 | 10/30/2019 | 4194.1  | Payment | 10/31/2019 | FDR | 11/10/2019 | 11/10/2019 |
| ██████████ | 1907 | 071125 | 10/19/2019 | 301     | Payment | 10/20/2019 | FDR | 11/10/2019 | 11/10/2019 |
| ██████████ | 1907 | 071125 | 10/02/2019 | 4900    | Payment | 10/03/2019 | FDR | 10/10/2019 | 10/10/2019 |
| ██████████ | 1907 | 071125 | 09/28/2019 | 500     | Payment | 09/29/2019 | FDR | 10/10/2019 | 10/10/2019 |
| ██████████ | 1907 | 071125 | 09/03/2019 | 875     | Payment | 09/04/2019 | FDR | 09/10/2019 | 09/10/2019 |
| ██████████ | 1907 | 071125 | 08/19/2019 | 135     | Payment | 08/19/2019 | FDR | 09/10/2019 | 09/10/2019 |
| ██████████ | 1907 | 071125 | 07/31/2019 | 161     | Payment | 07/31/2019 | FDR | 08/10/2019 | 08/10/2019 |
| ██████████ | 1907 | 071125 | 06/08/2019 | 109.75  | Payment | 06/09/2019 | FDR | 06/10/2019 | 06/10/2019 |
| ██████████ | 1907 | 071125 | 05/18/2019 | 109.75  | Payment | 05/19/2019 | FDR | 06/10/2019 | 06/10/2019 |
| ██████████ | 1907 | 071125 | 04/24/2019 | 584.77  | Payment | 04/25/2019 | FDR | 05/10/2019 | 05/10/2019 |
| ██████████ | 1907 | 071125 | 04/09/2019 | 274.87  | Payment | 04/09/2019 | FDR | 04/10/2019 | 04/10/2019 |

| Payment Date | Interest Rate At BK | Maturity Date |
|--------------|---------------------|---------------|
| 1/2021       | 0                   |               |

|              |                                       |                          |            | Part 3: Arrearage as of Date of the Petition |                      |                                       |                           |                    |                             | Part 4: Mon        |
|--------------|---------------------------------------|--------------------------|------------|--|----------------------|---------------------------------------|---------------------------|--------------------|-----------------------------|--------------------|
| Payments Due | Escrow Deficiency For Funds Advanced2 | Less Total Funds On Hand | Total Debt | Principal Interest Due                       | Prepetition Fees Due | Escrow Deficiency For Funds Advanced3 | Projected Escrow Shortage | Less Funds On Hand | Total Prepetition Arrearage | Principal Interest |
| \$351.00     | \$0.00                                | \$0.00                   | \$8,954.30 | \$1,832.00                                   | \$351.00             | \$0.00                                | \$0.00                    | \$0.00             | \$2,183.00                  | \$0.00             |

| Del No Of Cycles | Amt To Prin | Amt To Int | Amt To Fees | Principal Balance | Accrued Int | Fees And Charges Balance | Past Due | Payments Past Due |
|------------------|-------------|------------|-------------|-------------------|-------------|--------------------------|----------|-------------------|
| 0                | \$3,098.47  | \$1.50     | \$99.04     | \$2,121.82        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$2,193.26  | \$0.00     | \$0.00      | \$220.60          | \$0.00      | \$60.04                  | \$0.00   | \$0.00            |
| 0                | \$5,274.25  | \$0.00     | \$0.00      | \$2,378.16        | \$0.00      | \$60.04                  | \$0.00   | \$0.00            |
| 0                | \$2,501.01  | \$0.00     | \$0.00      | \$5,055.37        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$500.00    | \$0.00     | \$0.00      | \$5,706.03        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$2,579.18  | \$73.18    | \$39.00     | \$4,899.14        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$1,001.01  | \$0.00     | \$0.00      | \$5,638.01        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$2,596.69  | \$0.00     | \$0.00      | \$4,689.86        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$3,391.79  | \$37.80    | \$39.00     | \$93.71           | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$1,494.66  | \$0.00     | \$6.35      | \$0.00            | \$0.00      | \$6.35                   | \$0.00   | \$0.00            |
| 0                | \$4,457.80  | \$43.20    | \$0.00      | \$838.44          | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$78.32     | \$0.00     | \$0.00      | \$2,068.75        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$4,100.00  | \$0.00     | \$0.00      | \$2,321.78        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$1,001.00  | \$0.00     | \$0.00      | \$2,321.78        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$2,765.37  | \$0.00     | \$0.00      | \$3,631.79        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$1,905.00  | \$0.00     | \$0.00      | \$1,447.57        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$400.00    | \$0.00     | \$0.00      | \$6,541.77        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |
| 0                | \$85.23     | \$76.77    | \$39.00     | \$2,082.47        | \$0.00      | \$0.00                   | \$0.00   | \$0.00            |



|   |            |          |           |            |         |          |        |        |
|---|------------|----------|-----------|------------|---------|----------|--------|--------|
| 0 | \$3,300.00 | \$0.00   | \$0.00    | \$3,679.38 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$193.86   | \$102.15 | \$34.52   | \$7,120.84 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$201.00   | \$0.00   | \$0.00    | \$7,025.26 | \$0.00  | \$39.00  | \$0.00 | \$0.00 |
| 0 | \$2,500.00 | \$0.00   | \$0.00    | \$1,753.94 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$289.00   | \$0.00   | \$0.00    | \$5,047.34 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$979.43   | \$71.41  | (\$39.00) | \$3,587.45 | \$71.41 | \$39.00  | \$0.00 | \$0.00 |
| 0 | \$3,900.00 | \$0.00   | \$0.00    | \$241.20   | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$301.00   | \$0.00   | \$0.00    | \$3,590.51 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$4,194.10 | \$0.00   | \$0.00    | \$1,681.22 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$301.00   | \$0.00   | \$0.00    | \$3,950.30 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$4,900.00 | \$0.00   | \$0.00    | \$1,502.60 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$443.57   | \$56.43  | \$0.00    | \$5,260.71 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$875.00   | \$0.00   | \$0.00    | \$4,544.21 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$48.53    | \$86.47  | \$0.00    | \$4,952.46 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$161.00   | \$0.00   | \$0.00    | \$4,217.98 | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$109.75   | \$0.00   | \$0.00    | \$907.99   | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$109.75   | \$0.00   | \$0.00    | \$195.60   | \$0.00  | \$0.00   | \$0.00 | \$0.00 |
| 0 | \$81.70    | \$0.00   | \$503.07  | \$0.00     | \$0.00  | \$503.07 | \$0.00 | \$0.00 |
| 0 | \$274.87   | \$0.00   | \$0.00    | \$0.00     | \$0.00  | \$0.00   | \$0.00 | \$0.00 |